



**BOARD OF SUPERVISORS
of
MARICOPA COUNTY, ARIZONA**

(and the Boards of Directors of the Flood Control
District, Library District, Stadium District,
Improvement Districts, and/or Board of Deposit)

**Special Meeting Agenda
Open and Executive Session**

**Wednesday, June 4, 2008
10:00 am or immediately following the
Formal Board Meeting,
whichever is later.**

**Tom Sullivan Conference Room
301 West Jefferson – 10th Floor
Phoenix, Arizona**

*One or more members may attend telephonically.
Members attending telephonically will be announced at the meeting.*

The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).

The Maricopa County Clerk's Office presents this summarized information as a service to the public. The Clerk does not guarantee the accuracy of the data or information presented and expressly disclaims any responsibility for errors or damages resulting from the use of the information contained herein. The approved meeting minutes of the Board of Supervisors are the official publication of all legal actions taken by the Board.

**GREEN – APPROVED / RED – DENIED / BLUE – CONTINUED
GOLD – WITHDRAWN / BROWN – NO ACTION**

BOARD OF SUPERVISORS

OPEN SESSION

1. Vote to convene in Executive Session. – **APPROVED**

EXECUTIVE SESSION

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – A.R.S. §38-431.03(A)(3) AND
(A)(4) – NO ACTION**

- E-1. Dillard's Services, Inc. v. Maricopa County, TX2007-000359; Macy's Department Stores, Inc. v. Maricopa County, TX2007-000340; Nordstrom Inc. v. Maricopa County, TX2007-000362; Yorktown Country Inn, Inc. v. Maricopa County, TX2007-000361; JC Penney Corp Inc./JC

Penney Prop v. Maricopa County, TX2007-000337 (with the exception of parcel number 200-43-006P, J.C. Penney's at Arrowhead Mall); Sears Roebuck & Co. v. Maricopa County, TX2007-000341; Sears Roebuck & Co. v. Maricopa County, TX2007-000360; Sears Roebuck & Co. v. Maricopa County, TX2007-000363; and Kmart Corporation v. Maricopa County, TX2007-000358

Keith Russell, County Assessor

Roberta Livesay, Outside Counsel

Jean Rice, Deputy County Attorney

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – A.R.S. §38-431.03(A)(3) AND (A)(4)

– NO ACTION

E-2. Luke Air Force Base Aux I Land Use Restrictions

Joy Rich, Assistant County Manager

Chuck Kelhoffer, Outside Counsel

Terry Eckhardt, Deputy County Attorney

Jean Rice, Deputy County Attorney

OPEN SESSION

2. REJECT SETTLEMENT OFFER; AUTHORIZE OFFER OF JUDGMENT; AND AUTHORIZE SETTLEMENT OF MULTIPLE TAX APPEAL CASES – APPROVED

As discussed above in Executive Session:

- a) Authorize counsel for Maricopa County to reject the settlement offer made by the plaintiff;
- b) Authorize counsel for Maricopa County to make an offer of judgment in the following tax appeal cases: Dillards Services, Inc. v. Maricopa County, TX2007-000359; Macy's Department Stores, Inc. v. Maricopa County, TX2007-000340; Nordstrom Inc. v. Maricopa County, TX2007-000362; Yorktown Country Inn, Inc. v. Maricopa County, TX2007-000361; JC Penney Corp Inc./JC Penney Prop v. Maricopa County, TX2007-000337 (with the exception of parcel number 200-43-006P, J.C. Penney's at Arrowhead Mall); Sears Roebuck & Co. v. Maricopa County, TX2007-000341; Sears Roebuck & Co. v. Maricopa County, TX2007-000360; Sears Roebuck & Co. v. Maricopa County, TX2007-000363; and
- c) Authorize settlement of Kmart v. Maricopa County, TX2007-000358, and of JC Penney's at Arrowhead Mall, included in TX2007-000337. (C1908057M00)